Case 3:19-cv-03418-WHO Document 27-1 Filed 03/02/20 Page 1 of 4

I	Case 3:19-cv-03418-WHO Document 2	27-1 Filed 03/02/20 Page 1 of 4
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11	LIMITED STATES DISTRICT COLIDT	
12	UNITED STATES DISTRICT COURT	
13	NORTHERN DISTRICT OF CALIFORNIA	
14	SAN FRANCISCO DIVISION	
15		
16	TWITCH INTERACTIVE, INC., a Delaware corporation,	Case No. 19-cv-03418-WHO
17	Plaintiff, v.	DECLARATION OF HOLLY M. SIMPKINS IN SUPPORT OF PLAINTIFF TWITCH INTERACTIVE, INC.'S EX PARTE MOTION TO EXTEND
18		
19	JOHN AND JANE DOES 1-100,	DEADLINES
20		
21	Defendants.	
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I		

I, Holly M. Simpkins, declare as follows:

- 1. I am an attorney licensed to practice law before the courts of the State of Washington and admitted *pro hac vice* in this matter. I am a Partner at Perkins Coie LLP, and counsel in this action for Plaintiff Twitch Interactive, Inc. ("Twitch"). I submit this declaration in support of Twitch's *Ex Parte* Motion to Extend Deadlines. I have personal knowledge of the facts stated herein and, if called upon, could and would testify competently thereto.
 - 2. Twitch has been working diligently to identify Defendants.
- 3. At my direction, the Twitch accounts, websites, chat servers, social media platforms, and IP addresses Defendants used to coordinate their attack on Twitch were investigated.
- 4. Twitch identified two individuals it believed were among those responsible for the attack, Skel and Ganggangchef.
- 5. On June 17, 2019, a cease and desist letter, copy of the Complaint, and a waiver of service form, among other documents, were sent to the following email addresses: ganggangchef@gmail.com, skelthade@gmail.com and jfernandes423@hotmail.com. None of the emails were returned as undeliverable. The letter asked the individuals to identify themselves and waive service. We did not receive a response.
- 6. In mid-August, shortly after the Court granted Twitch's Motion for Expedited Third Party Discovery, Twitch served subpoenas on eleven internet service providers, email providers, and social media companies to identify and serve the Doe defendants.
- 7. Twitch received responses from ten of the subpoena recipients in September and October 2019.
- 8. Twitch contacted certain defendants with information gathered through these subpoena responses. Twitch settled with several of these individuals and is in settlement discussions with the remaining identified defendants. Twitch has confirmed that none of these individuals were the ringleaders who organized or coordinated the Memorial Day Attack.

- 9. Twitch has not definitively identified Skel and Ganggangchef, although it has made significant progress.
- 10. Twitch did not receive a response to its subpoena from Discord until November 26, 2019. Based on the data provided by Discord, Twitch sought and obtained this Court's leave to serve additional subpoenas on Comcast, T-Mobile, and Kean University.
- 11. Twitch received the subpoena response from Comcast on February 14, 2020.

 Twitch learned that an IP address associated with Ganggangchef belongs to an address located in New Mexico. Twitch sent the individuals living at the address a letter on February 25.
- 12. Twitch's ongoing investigation connected an IP address, telephone number and email address associated with Skel to three individuals living in Newark, New Jersey.
- 13. Repeated efforts to contact one of the individuals has yielded no response. Twitch sent a follow up letter to that individual on February 26. Having learned of the two other individuals more recently, Twitch first contacted them via letter on February 26 and is awaiting responses.
- 14. When Twitch sent the Court's August 7, 2019 Order to skelthade@gmail.com, jfernandes423@hotmail.com, and ganggangchef@gmail.com, only the message to jfernandes423@hotmail.com was returned as undeliverable. When Twitch sent its September 3, 2019 administrative motion to skelthade@gmail.com, jfernandes423@hotmail.com, and ganggangchef@gmail.com, the messages to jfernandes423@hotmail.com and skelthade@gmail.com were returned as undeliverable.
- 15. Twitch has not served any of the Doe defendants. Because of this, I was not able to meet and confer with counsel for the opposing parties regarding this administrative motion or propose that the parties stipulate to a 90-day extension of the Case Management Conference and related deadlines. Notice of this motion was provided to the individuals with whom Twitch is in settlement negotiations along with an opportunity to object. None of those parties objected to the motion.

1	16. There have been four previous time modifications in this case. This Court	
2	previously granted Twitch's motion for an extension of the service deadline, Dkt. No. 18, and this	
3	Court previously granted Twitch's motion for an extension of the Case Management Conference	
4	and related deadlines, Dkt. No 16. More recently, this Court granted Twitch's motion for an	
5	extension of time to serve Defendants and to reset the Case Management Conference. Dkt. No.	
6	20. The requested continuance will not impact the schedule of this case, as no trial date or other	
7	deadlines have been set.	
8		
9	I declare under penalty of perjury under the laws of the United States that the foregoing is	
10	true and correct.	
11	Executed at Seattle, Washington this 2nd day of March, 2020.	
12	/s/ Holly M. Simpkins	
13	Holly M. Simpkins	
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